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6 Attorneys for Defendant  
7 BERKELEY UNIFIED SCHOOL DISTRICT

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

11 LUPE VARGAS; POMPELLA CAMPOS; ) CASE NO. 3:16-CV-06634-WHO  
12 X.M., by her next friend MARIA DIAZ; )  
13 MARIA DIAZ; J.B., by his next friend )  
14 LEOCADIA RAMOS; LEOCADIA RAMOS; )  
15 B.L., by his next friend TED LEVITON; and )  
16 TED LEVITON, )  
17 )  
18 Plaintiff, )

**STIPULATION AND ORDER TO  
MODIFY CERTAIN CASE  
MANAGEMENT DATES**

16 vs. )  
17 )  
18 BERKELEY UNIFIED SCHOOL DISTRICT, )  
19 SUPERINTENDENT DONALD EVANS, )  
20 BEATRIZ LEYVA-CUTLER, TY ALPER, )  
21 JUDY APPEL, JOSH DANIELS, KAREN )  
22 HEMPHILL, MARLEEN SACKS, LISA VAN )  
23 THILLO, EVELYN TAMONDONG- )  
24 BRADLEY, JANET LEVENSON, SAM )  
25 PASAROW, SHANNON FIERRO, and DOES )  
26 1-10, )  
27 Defendants. )

**STIPULATION**

24 This STIPULATION is entered into between plaintiffs LUPE VARGAS, POMPELLA  
25 CAMPOS, X.M., by her next friend MARIA DIAZ. MARIA DIAZ, J.B., by his next friend  
26 LEOCADIA RAMOS, LEOCADIA RAMOS, B.L., by his next friend TED LEVITON, and  
27 TED LEVITON (collectively, "Plaintiffs"), on the one hand, and defendant, Berkeley Unified  
28 School District ("BUSD"), on the other hand, through their respective counsel, as follows:

1 WHEREAS, counsel for Plaintiffs and counsel for BUSD have attempted to orderly  
2 arrange for service on the individually named defendants and it is believed that all of those  
3 individuals, with one exception, will agree to waive personal service on or before February 22,  
4 2017;

5 WHEREAS, BUSD anticipates that it, and some of the individually named defendants,  
6 will bring motions challenging the Complaint, which may impact the parties and allegations  
7 remaining in the case;

8 WHEREAS, the parties agree that the efficiencies of the case will be best served by  
9 setting a uniform responsive pleading date for those served defendants, and vacating and re-  
10 setting the current Initial Case Management Conference date, and associated Rule 26 disclosure  
11 and ADR compliance dates; and

12 WHEREAS, the parties have stipulated and agreed that:

13 1. The responsive pleading date in this matter shall be set for March 21, 2017 for all  
14 defendants served on or before February 28, 2017; and

15 2. The previously set dates for the Initial Case Management Conference (February  
16 28, 2017), Rule 26 Disclosures and ADR compliance shall be vacated and re-set once the matter  
17 is at issue.

18 **IT IS SO STIPULATED.**

19 Dated: February 17, 2017

GORDON & REES SCULLY MANSUKHANI, LLP

22 By: /S/ Jerome Schreiberstein  
23 MARK S. POSARD  
24 JEROME SCHREIBSTEIN  
25 Attorneys for Defendant  
26 BERKELEY UNIFIED SCHOOL DISTRICT

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Dated: February 17, 2017

UNITED FOR EQUALITY AND AFFIRMATIVE  
ACTION LEGAL DEFENSE FUND

By: /S/ Ronald Cruz  
RONALD CRUZ  
SHANTA DRIVER\* (Michigan Bar No. P65007)  
\*Pro hac vice application pending  
Attorneys for Plaintiff

**ORDER**

Per Stipulation of the parties, **as modified below**, and good cause otherwise appearing:

1. The responsive pleading date in this matter is set for **March 21, 2017 for all defendants served on or before February 28, 2017**; and
2. The previously set dates for the Initial Case Management Conference (February 28, 2017), Rule 26 Disclosures and ADR compliance **are continued for 60 days. The initial Case Management Conference is set for May 2, 2017 at 2:00 p.m.**

**IT IS SO ORDERED.**

Dated: February 21, 2017

By:   
HON. WILLIAM H. ORRICK